#### DRAFT – TO BE APPROVED BY BOARD OF SELECTMEN

# TOWN OF DARIEN BOARD OF SELECTMEN REGULAR MEETING APRIL 17, 2006

**ATTENDANCE:** First Selectwoman Evonne Klein; Kevin Newman;

Linda Santarella; Barbara Thorne; Susan Young

**STAFF:** John Crary, Administrative Officer

**OTHERS:** John Wayne Fox, Town Counsel

# **CALL TO ORDER**

First Selectwoman Klein called the Regular Meeting to order at 7:00 p.m.

## **PUBLIC COMMENT**

There were no comments from the public.

### FIRST SELECTWOMAN'S REPORT

The First Selectwoman reported that, based on the concerns expressed by the Board of Selectmen, the community and a memo she received from Anne Lynn, last week she appointed an ad hoc committee who will address some issues regarding the affordable housing issue in Darien. She stated that she had spoken to each member of the Board of Selectmen individually and there is agreement that this type of committee move forward. She reported that Charlotte Suhler will head up the committee and will report regularly to the Board. Ms. Klein stated that the other members of the ad hoc committee are Barbara Thorne, Susan Kostin, Barbara Merrill, Tony Murray and Arlene Sibilio.

The First Selectwoman reported the following up and coming meetings:

Tues., April 18<sup>th</sup> - Carnival meeting at 4:00 p.m., Rm. 206

Wed., April 19<sup>th</sup> - Emergency management drill in Westport

Thurs., April 20<sup>th</sup> - Health District meeting at 7:30 p.m.

CDOT meeting on Speed Change Lane Project

Wed., April 26<sup>th</sup> - CL&P Glenbrook Cables Project presentation of 60% D&M plan at

7:00 p.m.

## ADMINISTRATIVE OFFICER'S REPORT

Mr. Crary reported that they are beginning a new season of contract negotiations. He will have a meeting with the Public Works Union tomorrow and on April 27<sup>th</sup> he will meet with the Police Union.

Mr. Crary reported that he is working with Pat D'Arinzo on a program to reduce electrical costs to the Town. He is working with a company called, EnerNoc, which will pay municipalities and residents to reduce their electrical usage during times of high electric usage. Ms. Thorne asked for clarification of how it would work and Mr. Crary stated that the three pump stations in Town would be turned off during blackouts and then the three generators that operate the pump stations would be turned on so there would not be a problem.

Mr. Crary also reported that they need a generator for the entire Town Hall building and he found out that there are grants available for generators. He noted that there are funds available in the budget for a portable generator and possibly these funds and grant money could be used together to purchase a generator.

# REPORT ON THE STATUS OF THE HEALTH DISTRICT PLANNING COMMITTEE

Susan Young reported that they have not had a meeting since the last Board of Selectmen meeting. She reported that there will be a meeting on Thursday afternoon, April 19<sup>th</sup>, at 3:30 p.m. which will be for the Darien group only so that their issues will be addressed. She stated that an attorney will talk about untying the knot if the Health District does not work out and also liability issues. Ms. Young also reported that on April 20<sup>th</sup> there will be a public meeting at 7:30 p.m.

Mr. Newman asked if the services and the savings would be worth having a joint district. Ms. Young replied that they were still receiving information on it and then there will be a presentation to the Board of Selectmen, the RTM, and a public meeting so that all will understand it. Ms. Klein commented that the focus should be on what they are gaining in terms of public safety and public health and not savings. Mr. Crary stated that they have to look down the road because forming a joint district would make the Town eligible for more State funding.

## **NEW BUSINESS**

a) Discuss and Take Action on the request of the Darien Chamber of Commerce for the Annual Sidewalk Sales on July 7 & 8 with preview date of July 6.

Ms. Klein stated that this event was done annually. Ms. Santarella questioned where they were going to hang signs and banners. She also asked if the Police Department would

have the list of those registered and insured and who was going to shut down sales of non-participants. Ms. Klein replied that Zoning would shut down sales of the non-participants.

- \*\* MS. SANTARELLA MOVED TO APPROVE THE REQUEST OF THE DARIEN CHAMBER OF COMMERCE FOR THE ANNUAL SIDEWALK SALES ON JULY 7 AND 8 WITH A PREVIEW DATE OF JULY 6.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION APPROVED UNANIMOUSLY.
  - b) Discuss and Take Action on Town Clerk's request to file for a State of Connecticut Historic Preservation Grant to re-index Town records
- \*\* MS. THORNE MOVED TO APPROVE THE TOWN CLERK'S REQUEST TO FILE FOR A STATE OF CONNECTICUT HISTORIC PRESERVATION GRANT TO RE-INDEX TOWN RECORDS.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION APPROVED UNANIMOUSLY.

Ms. Klein asked that Item F be moved up on the agenda to be heard at this time.

- \*\* MS. SANTARELLA MOVED THAT ITEM F BE MOVED UP ON THE AGENDA TO BE HEARD AT THIS TIME.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.
  - f) Discuss and Take Action on renewing the lease with the Darien Arts Council of certain sections of Town Hall

Ms. Klein stated that the lease had been reviewed by the Board and there were no surprises. Mr. Crary stated that it was a ten-year extension of the existing lease. Town Counsel advised the Board that the lease should be changed to read the Darien Arts "Center", not Council, and he distributed a revised lease. He also stated that the lease is subject to an 8-24 Mandatory Referral Report from Planning & Zoning.

- \*\* MS. YOUNG MOVED TO APPROVE THE RENEWAL OF THE LEASE WITH THE DARIEN ARTS CENTER COVERING CERTAIN SECTIONS OF TOWN HALL.
- \*\* MS. THORNE SECONDED.
- \*\* MOTION APPROVED UNANIMOUSLY.

- \*\* MR. NEWMAN MOVED TO REFER THE RENEWAL OF THE LEASE WITH THE DARIEN ARTS CENTER TO PLANNING AND ZONING FOR AN 8-24 MANDATORY REFERRAL REPORT.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

# c) Discuss and Take Action on Proposed Changes in Refuse Disposal Fees

Ms. Klein reviewed the proposed changes in refuse disposal fees item by item. When Ms. Young asked what the increase in fees was based, on Mr. Crary replied that the tipping fee in Bridgeport increased 5% across the board. Ms. Klein stated that she had received correspondence from seniors and she would therefore like to cap the one-year residential permit without a hauler to \$50.00 for seniors. The Board agreed. Ms. Santarella stated that she had a problem with the one-year residential enhanced permit with or without a hauler. She stated that the issue was at the gatehouse and stopping the abusers. Ms. Young stated that this penalizes people using a pickup truck. Ms. Klein commented that they no longer have people going in the dump for free and the most frequent complaints are those coming in with construction debris.

Mr. Newman stated that the punishment does not fit the crime. He asked if financially they could afford to put another person at the gatehouse. Mr. Crary replied that moving the gatehouse to the middle will help but the Board of Finance probably would not approve another person there because they are not always busy. Ms. Thorne suggested making a commitment to pay as you throw, go over a scale, or EZ Pass. Ms. Santarella stated that they know who the violators are and there should be a fine if they are violating the privilege. She stated she would vote "no" on the enhanced permit.

Mr. Newman stated that he had trouble with the breaks for seniors, giving an example of a senior retiree of IBM versus a senior resident of Allen O'Neill receiving the same benefit. Ms. Klein replied that they cannot get seniors to prove their need.

# \*\* MS. THORNE MOVED THE FOLLOWING CHANGES IN REFUSE DISPOSAL FEES EFFECTIVE JULY 1, 2006:

	<b>Current Fee</b>	<b>Proposed Fee</b>
MIXED SOLID WASTE (MSW)	\$ 85.00/ton	\$ 90.00/ton
ONE-YEAR RESIDENT (BASIC) PERMITS (STICKERS) WITHOUT A HAULER	100.00/ton	105.00/ton 50.00/ton
ONE-YEAR RESIDENTIAL (BASIC) PERMI (STICKERS) WITH A HAULER	TS 30.00/ea.	32.00/ea.
COMBUSTIBLE BULK WASTE	85.00/ton	90.00/ton

BRUSH	85.00/ton	85.00/ton
LEAVES, GRASS, ETC.	55.00/ton	55.00/ton
INCOMBUSTIBLE BULK WASTE	130.00/ton	130.00/ton
METALS AND WHITE GOODS	85.00/ton	85.00/ton
WOOD CHIPS	40.00/ton	40.00/ton
REFRIGERATION DISPOSAL SURCHARGE	15.00/pc.	15.00/pc.

- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.
  - d) Discuss and Take Action on Board policy for use of municipal and commuter parking spaces during off-peak hours

Ms. Santarella commented that the resolution gives the public a clearer picture of where they can park. She asked if this did not work out could they take it back. Ms. Klein said they could. Ms. Young said she liked it because it gives residents the benefit to park in these areas. Mr. Newman agreed and stated that this shows that all merchants are equal.

- \*\* MS. SANTARELLA MOVED TO APPROVE THE RESOLUTION ENCOURAGING THE USE OF MUNICIPAL AND COMMUTER OFF-STREET PARKING SPACES DURING OFF-PEAK HOURS AS DEFINED AS AFTER 5:00 P.M. ON WEEKDAYS AND AT ALL TIMES ON WEEKENDS.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION APPROVED UNANIMOUSLY.
  - e) Discuss and Take Action on Leasing 14,505 sq. ft. of Town land at the dump to Felix and Sylvia Callari

Wayne Fox, Town Counsel, noted that there was a typographical error on Page 5, Insurance. He also stated that the lease is subject to an 8-24 Mandatory Referral Report from Planning & Zoning.

- \*\* MS. SANTARELLA MOVED TO APPROVE THE LEASING OF 14,505 SQ. FT. OF TOWN LAND AT THE DUMP BETWEEN THE TOWN OF DARIEN AND FELIX AND SYLVIA CALLARI.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

- \*\* MR. NEWMAN MOVED TO REFER THE LEASE BETWEEN THE TOWN OF DARIEN AND FELIX AND SYLVIA CALLARI TO PLANNING AND ZONING FOR AN 8-24 MANDATORY REFERRAL REPORT.
- \*\* MS. THORNE SECONDED
- \*\* MOTION PASSED UNANIMOUSLY.
  - g) Discuss and Take Action on renewing the lease with Crown Castle for the cellular site at the Town Dump

Mr. Newman commented that the changes Mr. Crary made to the lease made it a lot better. Ms. Thorne asked what the tower would look like. Mr. Crary replied that the tower will be twenty feet higher and would have no visual impact. Mr. Crary stated that the lease is for a five year extension. Town Counsel advised the Board that this would require an 8-24 Mandatory Referral Report.

- \*\* MS. SANTARELLA MOVED TO RENEW THE LEASE BETWEEN THE TOWN OF DARIEN AND CROWN ATLANTIC COMPANY FOR FIVE ADDITIONAL YEARS.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.
- \*\* MR. NEWMAN MOVED TO REFER THE RENEWAL OF THELEASE WITH CROWN ATLANTIC COMPANY TO PLANNING AND ZONING FOR AN 8-24 MANDATORY REFERRAL REPORT.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

Ms. Thorne thanked Mr. Crary for the time he spent on all the leases.

#### h) Transfers:

#### 1. Police Department

The increased amount of maintenance being done on Police Headquarters has led to the depletion of the operating supplies account. The account is used to purchase the sundries associated with building maintenance such as cleaning supplies, facial and toilet tissue, soaps, etc.

An increase in this account for FY 06/07 was requested to meet increased need, although the extraordinary demand placed on this account this year is not characteristic of typical use.

The cost of electricity used to power the town-owned traffic signals has increased substantially since the beginning of the fiscal year. The first bill received for the initial billing cycle of this fiscal year amounted to \$897.00. The latest billing cycle reflected a cost of \$1,260.76, or an increase of approximately 40%.

Repairs to the building, primarily the plumbing and heating systems, are running at a very high level and well above historical norms. Pending bills due on this account total \$558.64; the account presently has a balance of \$88.53.

The Patrol-Full Time Salary account is showing a favorable balance in excess of anticipated need due to staffing vacancies.

# **RESOLVED:**

That the following transfers of appropriations be approved for referral to the Board of Finance:

From:			To:	ı	
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10302233 81001	Patrol Wages-FT	\$4,057	10302323 83007	Sta Oper - Supplies	\$750
			10302323 82041	Facility Repair & Maint.	1,000
			10302283 82051	ElectTraffic Lights	2,307
	TOTAL	\$4,057		TOTAL	\$4,057

Mr. Crary reported that the transfer was to cover two areas: facility repairs and the cost of electricity used to power the traffic-signals which had increased significantly since the beginning of the fiscal year. Mr. Newman questioned the latest billing cycle increase of 40% for electricity to power the traffic signals and asked for an explanation of it. Mr. Crary replied that the electric rate went up 21% and he would look into why it was so much higher.

# \*\* MR. NEWMAN MOVED TO APPROVE THE FOLLOWING TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE:

	From:			To:		
Ī	Acct. No.	Account	Amount	Acct. No.	Account	Amount
	10302233 81001	Patrol Wages-FT	\$4,057	10302323 83007	Sta Oper - Supplies	\$750
					Facility Repair &	
				10302323 82041	Maint.	1,000
				10302283 82051	ElectTraffic Lights	2,307
		TOTAL	\$4,057		TOTAL	\$4,057

- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

# 2. Capital Budget

Additional funds are required to complete Phase one of the CityView software conversion. The work that needs to be completed includes the following:

<u>Data Conversion of P&Z and Building Dept. databases</u> - \$2,220 (work has been done but we are now over budget; please note that this project did not include any contingency funds)

<u>Button for Building Dept. data entry</u> - \$2,300 (work has been put on hold until funding is clarified)

Reports for P&Z and Building Depts. – estimated at \$3,000 to \$4,000 (work has been put on hold until funding is clarified)

It is recommended that unused funds in Capital Budget originally designed for document imaging be used to meet this need.

#### **RESOLVED:**

That the following transfer is approved for referral to the Board of Finance:

From:			,	To:		
Acct. No.	Account	Amount		Acct. No.	Account	Amount
30118004-900002	Document Imaging	9,000		30221004-906002	CityView	9,000
	TOTAL	9,000			TOTAL	9,000

Mr. Crary reported that additional funds were required to complete Phase One of the CityView software conversion.

# \*\* MS. SANTARELLA MOVED TO APPROVE THE FOLLOWING TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE:

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Acct. No.	Account	Amount	Acct. No.	Account	Amount
30118004-900002	<b>Document Imaging</b>	9,000	30221004-906002	CityView	9,000
	TOTAL	9,000		TOTAL	9,000

\*\* MS. THORNE SECONDED.

From

#### \*\* MOTION APPROVED UNANIMOUSLY.

# **APPOINTMENTS AND REAPPOINTMENTS**

a) Consider and take action on the following appointments:

Joan O'Connell Agresta (R) as a member of the Information Technology Committee, for the term beginning on 4/1/05 and expiring on 4/1/07.

- \*\* MS. YOUNG MOVED TO APPROVE THE APPOINTMENT OF JOAN O'CONNELL AGRESTA (R) AS A MEMBER OF THE INFORMATION TECHNOLOGY COMMITTEE, FOR THE TERM BEGINNING ON 4/1/05 AND EXPIRING ON 4/1/07.
- \*\* MR. NEWMAN SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.
  - b) Consider and take action on the following reappointments:

Janet Sargent as a member of the Beautification Commission for the term beginning on 12/1/05 and expiring on 11/30/08.

Ms. Klein requested that the reappointment of Janet Sargent be delayed. The Board concurred.

### **AGENDA REVIEW**

Ms. Klein stated that she would like to hear an update on the newspaper bin ordinance. She also reported that an Acting First Selectmen will be elected in May. Some of other future agenda items that were mentioned were the blight ordinance, discuss snow shoveling ordinance, Boards and Commission updates, and review Board of Selectmen priorities.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

#### Regular meeting of February 21, 2006

The following changes were made to the minutes:

Page 3: Last paragraph: Second sentence: change to: he met Ann Lynn, Chair, Darien Housing Commission, to discuss Allen O'Neill in general and found out they were coming forward with a request.

Page 3: Last paragraph: Fifth sentence: Change to: Mr. Newman stated that all the funds up to July 1 should come from contingency and anything after should be part of the 06/07 budget.

- Page 3: First paragraph: Seventh sentence: Delete November.
- Page 3: Second paragraph: Change to: Mr. Newman believed the process was correct and since they were coming forward with this request, it was the responsibility .......
- Page 5: Second sentence: Ms. Santarella pointed out that they had not been cited by the State according to Town Counsel.
- \*\* MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 21, 2006 AS AMENDED.
- \*\* MR. NEWMAN SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

# Regular meeting of March 6, 2006

The following changes were made to the minutes:

- Page 6: First paragraph: First sentence: Ms. Klein stated that they spent a number of weeks discussing the Board's priorities and best practices and everyone agreed with them.
- Page 6: First paragraph: Third sentence: Change to: .... and help develop a plan.
- Page 6: First paragraph: Seventh sentence: Mr. Newman stated that he was very supportive of it from the beginning and that Allen O'Neill and did not feel waiting another 45 days would be terrible. It was also not one of the Board's high priorities.
- Page 6: First paragraph: Eleventh sentence: Change to: Ms. Klein stated she was frustrated that this was not moving forward.
- \*\* MR. NEWMAN MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 6, 2006 AS AMENDED.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

#### Regular meeting of March 20, 2006

The following changes were made to the minutes:

- Page 1: Others: Change Martha Ryan to Martha Rhein and Virginia Iqbal to Igbal.
- Page 1: First Selectwomen's Report, First sentence: Ms. Klein reported ..... and perhaps using the site as a Town pool.

- Page 2: Fifth paragraph: First sentence: Ms. Santarella asked Ms. Klein when she would be meeting with the Edgerton Street neighbors at the Senior Center.
- Page 2: Fourth sentence: Delete.
- Page 2: Fifth sentence: The representative said the Board could not come to the meeting, it was a discussion between the residents.
- Page 3: Second paragraph: Delete second sentence.
- Page 3: Third paragraph: First sentence: Ms. Klein said that based on the response they have received over the past two and a half years and emails she has received, .....
- Page 3: Fourth paragraph: First sentence: Change to Dr. David Reed.
- Page 3: Fourth paragraph: Fourth sentence: She said that sometime between tonight and April 20<sup>th</sup> there will be a meeting of the Darien members.
- Page 3: Last paragraph: Second sentence: Add: and there will be a pubic hearing on this topic.
- Page 4: Human Services Planning Council Report Change first and second paragraph name to: Ms. Rhein.
- Page 5: Third paragraph: First sentence: change to December 2005.
- Page 5: Third paragraph: Third sentence: It will cost \$4.5 million to purchase the library property.
- Page 5: Third paragraph: Add last sentence: The Task Force fulfilled their charge.
- Page 5: Delete Fourth paragraph: Ms. Santarella said she knows ...
- Page 5: Fifth paragraph: Add to second sentence: and nevertheless, it does not excuse us to get the highest and best use of the property and to look at all possibilities.
- Page 5: Sixth paragraph: Second sentence: Ms. Klein suggested that focus groups be formed to find out what the community's vision is.
- Page 6: Fourth paragraph: Add last sentence: Ms. Santarella asked that a traffic report be submitted to the Board.

- \*\* MS. YOUNG MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 20, 2006 AS SUBMITTED.
- \*\* MR. NEWMAN SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

# Regular meeting of April 3, 2006

The following changes were made to the minutes:

- Page 1: Others: Change spelling: Virginia Igbal, Kent Carstater, Randy Tankoos
- Page 2: Second paragraph: Second sentence: Change to Allen O'Neill.
- Page 3: First paragraph: Second sentence: Change to Stewart Amusements.
- Page 4: b. First paragraph should be: First Selectwoman Klein and Mr. Newman recused themselves.
- Page 4: b. Second paragraph: First sentence: Change to: Barbara Thorne said the above request would also include "commuter parking spaces".
- Page 5: Motion: Change to: MS. THORNE MOVED TO APPROVE THE REQUEST FROM THE DARIEN ROWAYTON BANK AND THE DOLCETTI FAMILY FOR PERMISSION TO USE MUNICIPAL PARKING SPACE AND COMMUTER PARKING SPACES DURING OFF PEAK HOURS.
- Page 5: Motion: Change to: "TAKE ACTION AND GRANT PERMISSION TO USE MUNICIPAL AND COMMUTER PARKING SPACES DURING OFF PEAK HOURS AND WEEKENDS, WHICH ARE AFTER 5:00 P.M., CONTINGENT UPON APPROVAL BY OTHER NECESSARY LAND USE BOARDS AND COMMISSIONS".
- Page 6: Third paragraph: Delete second sentence: Ms. Santarella couldn't address comments at this point.
- Page 7: Fifth paragraph: Change spelling of name to: Kent Carstater
- Page 7: Last paragraph: Change spelling of name to: Randy Tankoos
- Page 8: Eighth paragraph: Change spelling of name to: Virginia Igbal
- \*\* MS. YOUNG MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF APRIL 3, 2006 AS AMENDED.
- \*\* MS. THORNE SECONDED.
- \*\* MOTION APPROVED UNANIMOUSLY.

# **FORTHCOMING MEETINGS**

The Regular Meeting of the Board of Selectmen scheduled for May 16, 2006 has been changed to May 8, 2006 at 6:00 p.m.

May 1, 2006	Board of Selectmen Regular Meeting at 7:00 p.m.
May 2, 2006	Planning & Zoning Planning Meeting at 8:00 p.m.
May 8, 2006	Board of Selectmen Regular Meeting at 6:00 p.m.
May 8, 2006	RTM Budget Meeting at 8:15 p.m.
May 9, 2006	Board of Education Regular Meeting at 7:30 p.m.
May 9, 2006	Planning & Zoning General Meeting at 8:00 p.m.
May 16, 2006	Board of Finance Regular Meeting at 7:30 p.m.

# **OTHER BUSINESS**

(A two-thirds majority vote is required to add an item to the agenda)

There was no Other Business discussed.

- \*\* MS. SANTARELLA MOVED TO ADJOURN THE MEETING AT 8:45 PM.
- \*\* MS. YOUNG SECONDED.
- \*\* MOTION PASSED UNANIMOUSLY.

Respectfully Submitted,

Donna DeVito Telesco Secretarial Services